

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and arguments set forth fully below. Claims 52-60 and 70-75 were previously pending in the present application. Within the Office Action, Claims 52-60 and 70-75 have been rejected.

Substance of Interview Summary

The Applicants thank the Examiner for conducting an interview with the Applicant's attorney on February 25, 2010. Mr. Joseph Weatherbee was present at the interview as counsel for the Applicant. During the interview, the parties discussed the after-final amendment. The Examiner asked the Applicant to make further amendments to comply with 35 U.S.C. § 101. Accordingly, the Applicant amends the claims herein to comply with the requirements of 35 U.S.C. § 101. Mr. Weatherbee also informed the Examiner that co-pending applications for the invention have been allowed in various foreign jurisdictions. The Examiner requested that the Applicants ensure that these foreign applications are cited in the instant case. Accordingly, the Applicant files this Preliminary Amendment along with an IDS, citing the foreign cases.

Objection to the Claims

The Applicants graciously thank the Examiner for pointing out that claims 70-75 were misnumbered. Accordingly, the Claims are renumbered herein as suggested by the Examiner.

Claim Rejections under 35 U.S.C. § 101

Also within the Office Action, Claims 52-57 and 72 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants amend Claims 52-65 herein to recite hardware components as required by the Examiner, thereby rendering the rejections moot.

Claim Rejections under 35 U.S.C. § 112, Second Paragraph

Also within the Office Action, Claims 56 and 59 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Applicants amend Claim 56 herewith, thereby rendering the Examiner's rejection thereof moot. Additionally, the Applicants amend Claim 59 to recite a "forward name query" as described in the originally-filed application in the discussion of Figure 16.

Rejections Under 35 U.S.C. § 103

Also within the Office Action, Claims 52-66 were rejected under 103(a) as being unpatentable over United States Patent No. 7,359,987 to Stahura et al. (hereinafter referred to as "Stahura") in view of United States Patent No. 7,613,811 to Bhalla et al. (hereinafter referred to as "Bhalla").

To establish a *prima facie* case of obviousness of a claimed invention, all the claimed features must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The Applicants respectfully traverse this rejection, because neither Stahura nor Bhalla, either alone or in combination disclose all of the limitations of Claims 52-66.

Specifically neither Stahura nor Bhalla teach or suggest "at least one additional processing module for determining whether or not a dynamic address stored in the mapping notification system is correct by accessing other communication node to which the dynamic address obtained by the first processing module is assigned."

Referring to Fig. 1 in Stahura, communication is conducted between "client 101" and "Internet connected device 108" as shown in Figure 1 of Stahura with reference numerals 13 and 14. However, this communication does not correspond to performance by a "processing module for determining whether or not a dynamic address stored in the mapping notification system is correct".

In other words, the communication (Figure 1, Nos. 13, 14) in Stahura does not begin with determining that the address is not correct. In contrast, in the invention in Claim 52, communication with a communication node starts when it is determined by the determination means that said address is true. Furthermore, when it is determined by the determination means that said

address is not true, a process such as one specified in Claim 54 is typically performed.

Indeed, the "determination means" specified in Claim 52 is substantial because when addresses stored in the mapping notification system could not correctly reflect the relation between the identifier related to the communication node and "present address", it is not guaranteed that the address obtained by the mapping notification system is the actual address presently assigned to the desired communication node.

This point will be explained raising a typical example as follows:

Let assume that an address XXX is assigned to a communication node A, and a pair of the address XXX assigned to the communication node A and an identifier related to the communication node A is stored in the mapping notification system (refer to Fig. 12 in the present application).

Then, for example, let assume that the communication node A is not connected to a network. In this case, the address XXX which had been assigned to the communication node A could be assigned to a different communication node B, not to the communication node A, because addresses are finite and reused when the addresses are IP addresses (refer to Fig. 14 in the present application).

However, even in this case, a pair of the address XXX assigned to the communication node A and the identifier related to the communication node A is stored until information stored in the mapping notification system is updated. Under these circumstances, if an originator communication node intending to communicate with the communication node A tries to obtain an address related to the communication node A from the mapping notification system, it obtains an address XXX assigned to the communication node A in spite of the address XXX being actually assigned to the communication node B. As a result, if the originator communication node makes an access to the address XXX intending to communicate with the communication node A, it results in communicating with the communication node B.

This undesirable outcome is possible in Stahura's system, since communication starts with the address XXX without determining whether or not the address XXX obtained from the mapping notification system is one presently assigned to the communication node A, the user of the originator communication node actually communicates with the communication node B in spite of intending to communicate with the communication node A.

The invention defined by Claim 52 solves this problem because the address obtained from the mapping notification system is accessed prior to starting the communication, by determining whether or not the identifier obtained from the communication node to which the address is assigned is the same as the

identifier sent to the mapping notification system. If it is determined if the address is true the accessed communication node is the desired communication node. This makes eminent effect to eliminate the possibility of data leakage which cannot be obtained from Stahura.

Within the Office Action the Examiner points to block 603 of Figure 6 of Stahura to allege that Stahura teaches a determination means. The Applicants respectfully disagree that the "Retrieve" query of Stahura comprises a determination means or a processing module for determining, as currently claimed by the Applicant. Stahura explains that Figure 6 describes the "get IP address component of the dynamic address system." (Col. 3, Lines 11-13). Additionally, Stahura describes the dynamic address system as an "instant messaging system where the authoritative domain name server registers as a user of the instant messaging system so that it can invoke the IP address component to retrieve the current IP address for Internet connected devices that are currently signed onto the instant messaging system." (Col. 7, Lines 4-11). Essentially, this describes how an instant messaging and presence protocol (IMPP) server operates.

In such a system, the IMPP server is the go-between between users' connections. A user's connection destination is the IMPP server, not the other user's terminal. Therefore, the first user does not learn the IP address of the destination, but rather learns about the destination user's "presence". Only when

both the first user and the second user are logged on to the IMPP server at the same time does the session proceed.

As explained above, the users only know of the others' PRESENCE. The IMPP system distributes PRESENCE information to users who are logged in. Users themselves do not know of others PRESENCE without first logging in. This type of PRESENCE information is what is logged into the "IP Address Table 225" of Stahura. Likewise, the IMPP system is configured to retrieve PRESENCE information rather than sending an identifier to a notification system and then determining if the address stored in the notification system is correct.

On the other hand, the Applicants claim a processing module for determining whether or not a dynamic address stored in a mapping notification system is correct.

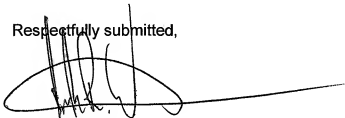
For at least these reasons, Stahura does not teach or suggest "at least one additional processing module for determining whether or not a dynamic address stored in the mapping notification system is correct by accessing other communication node to which the dynamic address obtained by the first processing module is assigned." Likewise, Bhalla does not teach the above-mentioned limitation, nor does the Examiner suggest that it does.

For at least these reasons, Claims 52-66 are allowable over a hypothetical combination of Stahura and Bhalla.

CONCLUSION

Applicant respectfully posits that the pending claims have been distinguished from the art of record, and that all objections to and rejections of the claims have been overcome. Accordingly, Applicant respectfully requests allowance. Should the Examiner deem it helpful he is encouraged to contact Applicant's attorney, at (650) 474-8400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joseph Weatherbee', with a long horizontal line extending to the right.

Joseph Weatherbee

Reg. No. 64,810

Customer No. 22862